

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ROSY GIRON DE REYES; JOSE
DAGOBERTO REYES; FELIX ALEXIS
BOLANOS; RUTH RIVAS; YOVANA
JALDIN SOLIS; ESTEBAN RUBEN MOYA
YRAPURA; ROSA ELENA AMAYA; and
HERBERT DAVID SARA VIA CRUZ,

Plaintiffs,

vs.

WAPLES MOBILE HOME PARK LIMITED
PARTNERSHIP; WAPLES PROJECT
LIMITED PARTNERSHIP; and A.J.
DWOSKIN & ASSOCIATES, INC.,

Defendants.

Case No. 1:16-cv-00563 (PTG/WBP)

[PROPOSED] ORDER

Upon consideration of Plaintiffs' Motions *in Limine*, it is hereby ordered that the Motions *in Limine* are **GRANTED** as follows:

1. To support their burden of persuasion at Step Two of the *Inclusive Communities* framework, Defendants must present evidence regarding the actual, contemporaneous reasons for the Policy; accordingly:

- a. Evidence involving speculation about the reasons for the Policy, or justifications created after the Policy was enforced against the Plaintiffs, are not admissible, and
- b. Evidence concerning the reasons for the Policy must have a proper foundation in a witness's actual knowledge.

2. Defendants shall not introduce evidence or argument relating to the anti-harboring statute, 8 U.S.C. § 1324(a)(1)(A)(3), and the Personal Responsibility and Work Opportunity

Reconciliation Act of 1996 (“PRWORA”), 8 U.S.C. § 1611. The Court will also issue a jury instruction that mistakes of law cannot constitute business necessities for the purpose of satisfying Step Two of the *Inclusive Communities* framework.

3. Defendants shall not introduce evidence or argument regarding Defendants’ or Defendants’ witnesses’ views or opinions on immigrants, immigration, or Latinos; Defendants’ or Defendants’ witnesses’ possession of Fair Housing Act training; and Defendants’ or Defendants’ witnesses’ plans to advertise or advertisements for Defendants’ business in Spanish.

4. Defendants shall not elicit additional testimony regarding the Plaintiffs’ legal immigration status beyond what is necessary to establish whether they had the documents to comply with Defendants’ Policy at the time the Policy was enforced against them.

SO ORDERED.

Dated:

Hon. Patricia Tolliver Giles
United States District Judge